

**RICHMOND POLICE DEPARTMENT GENERAL ORDER**

NOTE: This directive is for internal use only, and does not enlarge an employee's civil liability in any way. It should not be constructed as the creation of a higher standard of safety or care in an evidentiary sense, with respect to third party claims. Violation of this directive, if proven, can only form the basis of a complaint by this department, and then only in a non-judicial administrative setting.

Chapter 7	Number 9	Effective Date 01/06/12	Review Date 2015
Subject DEATH INVESTIGATION REPORTING, NOTIFICATION OF DEATH AND EMERGENCY MESSAGES			☐ New Order ☒ Replaces E.O. 7-9 (05/05/06)
References CALEA 55.2.6 VLEPSC ADM.23.04b , OPR.02.1a, OPR.02.1b, OPR.02.1c, OPR.02.1d, OPR.02.1e, OPR.02.1f, OPR.02.03a, OPR.02.03b, OPR.02.03c, OPR.02.03d, OPR.02.03g, OPR.02.05a, OPR.07.05 ^a General Order 3-12, Handling of Property and Evidence General Order 8-3, Crash Investigations and Reporting			
		01/06/12	
Chief of Police or Designee		Date	

I. PURPOSE

The purpose of this **directive** is to establish the policy and procedure for handling death investigation calls and notification of the next of kin in death situations, traffic fatalities, serious bodily injuries and illnesses. This directive consists of duties and responsibilities for members of the Richmond Police Department.

II. POLICY

- A. It is the policy of the Richmond Police Department to **complete** an Incident Based Report (IBR) and Death Report Summary (PD-108) on all death investigations. It is also the policy of the Department to notify the Office of the Medical Examiner (M.E.) regarding any death investigation, **regardless of the cause**.

In death situations resulting from traffic fatalities and instances of serious bodily injury and illness, the M.E. will be notified and notification of the next of kin will be made by the Richmond Police Department.

- B. When members of the Richmond Police Department are called to a death investigation, it is important to remember that the body of a deceased individual (decedent) is the property of the M.E.'s Office.

III. ACCOUNTABILITY STATEMENT

All employees are expected to fully comply with the guidelines and timelines set forth in this general order. Failure to comply will result in appropriate corrective action. Responsibility rests with the Division Commander to ensure that any violations of

policy are investigated and appropriate training, counseling and/or disciplinary action is initiated.

IV. DEFINITION

NEXT-OF-KIN – *The decedent's presumed legal spouse, child over 18 years of age, custodial parent, non-custodial parent, siblings over 18 years of age, appointed legal guardian of a minor child, appointed legal guardian of minor siblings and/or those entitled to take responsibility under statutory distribution of estates.*

DEATH INVESTIGATION TURNDOWN – *A situation occurring when the Medical Examiner has determined that an autopsy will not be performed and has given the officer on-scene permission to release the decedent to the next-of-kin.*

V. PROCEDURE

A. Initial Contact:

Upon initial contact with any victim, *if* there is any doubt whatsoever as to whether or not that person is alive, Department members shall seek medical attention for the victim as soon as possible.

B. Guidelines for Any Death Investigation:

1. ***Prior to calling the M.E., the officer shall complete the PD-108. During non-business hours, the M.E. operator will receive messages and locate the M.E.***
2. ***The assigned detective or detective supervisor will e-mail a copy of the completed IBR and PD-108 to the M.E.***
3. Members of the Richmond Police Department are not to move or disturb the decedent without authorization from the M.E.'s office ***unless exigent circumstances exist, and/or the detective supervisor approves the movement of the decedent without authorization from the M.E.'s office. All movement activity shall be documented in the detective's narrative.***
4. Department members will not remove any property of any nature from the decedent without approval from the M.E.'s office ***unless exigent circumstances exist, and/or the detective supervisor approves removal of decedent's property without authorization from the M.E.'s office. All property removal activity shall be documented in the detective's narrative.***
5. ***All medications, identification, and personal effects shall be sent with the body.***
6. The reporting officer ***or assigned personnel shall*** photograph all property located on the decedent and the photographs ***shall be forwarded to the assigned*** Major Crimes Division ***supervisor.***
7. Once property is removed from a decedent by, or at the direction of, the M.E., ***it*** will be turned over to and become the property of the Richmond Police Department for safekeeping.

8. Property removed from the decedent's body will be inventoried on a property receipt that will be signed by the M.E.'s office representative and the officer that is maintaining custody of those items.
9. A copy of the property receipt will accompany the decedent's body to the M.E.'s office.
10. The reporting officer will witness the locking of the body bag by the removal service and the lock number will be recorded on the property receipt **and PD-108**.
11. All evidence should be handled as outlined in General Order 3-12, "Handling Property and Evidence."

C. Apparent Natural Deaths:

1. In many cases, the deceased will have a history of health problems such as heart disease, cancer, etc. The officer should determine the medical history, as much as possible, and then notify the family physician.
2. The officer shall notify the M.E. of the circumstances of death and the willingness of the physician to sign the death certificate.
3. After the M.E. has been notified and gives his/her instructions and someone assumes responsibility for the body, the officer shall offer whatever assistance is necessary. It is not necessary for the officer to wait for the physician or funeral service to arrive.
4. *If the M.E. Office turns down acceptance of the decedent and the next-of-kin cannot be contacted or cannot make arrangements with a funeral service provider, the officer on-scene shall notify the Division of Emergency Communications (DEC) to request the contracted removal service (currently Kather Removal Service) respond to the location for transportation of the decedent.*
 - *The on-scene officer will provide the contracted removal service with any requested information on the decedent. In addition, the officer shall compile the IBR and complete the PD-108 prior to the end of his/her tour.*
 - *Supervisors shall review both reports and approve them before the end of his/her tour. Completed forms shall be forwarded by supervisors to the Office of General Counsel.*
 - *The Office of General Counsel will notify the Anatomical Board pursuant to statute. If Anatomical Board declines, Office of General Counsel will notify Sheriffs Office and provide necessary information for securing an order for disposition.*
5. *If the M.E. Office accepts the body for autopsy, DEC shall be contacted to notify the current contracted removal service (Kather Removal Service). The on-scene*

officer and his/her supervisor shall follow procedures for completing the IBR and PD-108 outlined in the preceding paragraph.

D. Suspicious, Unnatural or Accidental Deaths:

1. The responding officer shall make a preliminary investigation, protect the scene, and immediately notify his/her supervisor. The preliminary investigation shall include:
 - a. Documenting pertinent conditions, events, and remarks;
 - b. Maintaining and protecting the crime scene, if necessary;
 - c. In the absence of a forensic detective or a detective assigned to *the* Major Crimes Division, the responding officer shall arrange for the collection of evidence, if necessary;
 - d. Locating and identifying victims and witnesses, if necessary; and,
 - e. Interviewing the complainant, witnesses, and suspect(s), if appropriate.

NOTE: Only the investigating detective, or those authorized by him/her, and Forensics personnel shall be allowed to enter the scene after the Richmond Ambulance Authority (RAA) has pronounced the subject deceased.

- f. The responding officer *shall be* responsible for giving the information that he/she *has* collected to the investigating detective.
- g. The Operations Area 1 or Area 2 Supervisor shall be responsible for notifying the Watch Commander. The Watch Commander shall call the On-Call Major Crimes Division Detective Sergeant, Forensics Unit Supervisor or designee. After normal business hours, on weekends and holidays, *DEC* will have the "On-Call" listing for investigators.
- h. In all cases, the M.E. shall make the determination as to the disposition of the body.
- i. *If the M.E. turns down acceptance of the decedent, and next-of-kin cannot be contacted or cannot make arrangements with a funeral service provider, officers shall follow all procedures stated in the preceding Section V.C.4 in this general order pertaining to Apparent Natural Deaths.*
- j. The responding detective shall make every effort to safeguard the property or valuables found with the deceased. Any such property shall be turned in to the Property and Evidence Unit, if not secured in another manner.

NOTE: Officers reporting incidents involving an obvious homicide will use IBR Code 09A, Murder and Non-Negligent *Manslaughter*.

- k. In cases of traffic deaths, the M.E. must be notified before the body is moved.

2. During the follow-up investigation, the investigator shall:
 - a. Review preliminary investigation reports, if necessary;
 - b. Gather additional information, and conduct additional interviews and interrogations, if necessary;
 - c. Prepare the case file, if necessary;
 - d. Collect and preserve physical evidence, if necessary;
 - e. Identify and apprehend suspects, if necessary;
 - f. Check suspect's criminal history and determine possible involvement in other crimes; and,
 - g. Assist in the prosecution of the case, if necessary.

E. Identification of Deceased Persons:

1. Relatives or other persons shall not be referred to the M.E.'s office for identification purposes. Any inquiries of this nature shall be referred to the detective assigned to the case or the supervisor in charge of the scene.
2. Relatives shall be advised to contact the funeral service provider of their choice. They should also be informed that the deceased person has been or will be taken to the M.E.'s office.
3. The funeral service provider will contact the M.E.'s office to make arrangements for disposition of the body.

F. Child Death Investigation (Youth and Family Crimes Team):

1. Whenever the police respond to a call or are notified about the death of a child, age ten or younger, the Youth and Family Crimes Team supervisor will be notified.
2. The only exceptions in which the Youth and Family Crimes Team would not investigate the death of a child, age ten or younger, include:
 - a. If the death is the result of a motor vehicle crash; or,
 - b. If the child was being treated by a physician for a disease that caused his/her death.

NOTE: Officers reporting incidents involving an obvious homicide *will*, at the direction of the detective in charge of the scene or the detective supervisor, use IBR Code 09A, Murder and Non-Negligent *Manslaughter*.

G. Notification of Next of Kin:

Notification is paramount to every death investigation. The Department is committed to delivering urgent and efficient notifications with the compassion and sensitivity death situations demand to ensure that valuable information is not lost and is accurately reported. The Field Services supervisor or the reporting officer's supervisor shall ensure the accuracy of the IBR, PD-108, Crime Scene Integrity Roster and any other applicable forms to include all pertinent information, e.g. next of kin, etc.

1. Official Notification:

- a. Upon arrival to the scene of any death investigation call, the investigating officer shall attempt to determine the next of kin. The ***next of kin*** shall be noted on the IBR ***and PD-108, and shall include the following:***
 - 1) ***Name of next of kin;***
 - 2) ***Next of kin's relationship to decedent;***
 - 3) ***Notification date/time/location;***
 - 4) ***Next of kin's address;***
 - 5) ***Decedent's address, home and cell phone numbers; and,***
 - 6) ***Any other contact information if next of kin is located and identified.***
- b. In all cases involving a death, Department personnel will not release the name(s) of the victim until notification of the next of kin.
- c. Notification of next of kin shall be ***performed*** in person in all possible cases. A death notification by telephone shall be avoided unless there is no other reasonable alternative or time is of the essence.
- d. In cases of a death (excluding crash fatalities) when the next of kin must be notified by police, the notification ***shall*** be made by a member of the Major Crimes Division.
- e. ***On any type of death investigation where the time of death is less than 24 hours and next of kin has been notified, the assigned detective will call LifeNet Health at 1-866-LIFENET as soon as possible once the scene has been cleared and provide the following information:***
 - 1) ***Decedent name, date of birth (and social security number if available);***
 - 2) ***Time of death;***
 - 3) ***Cause of death/evidence of drug use;***
 - 4) ***Next of kin and as many telephone numbers as possible; and,***
 - 5) ***Destination of body, i.e. medical examiners, funeral home, etc.***

NOTE: The PD-108 and/or PISTOL/Investigative Report entry must document LifeNet contact.

- f. If the next of kin cannot be located and a Major Crimes Division detective is available, the Watch Commander shall request the available detective to respond for notification purposes. Whenever a Major Crimes Division detective responds to the scene or is notified to respond, it is his/her responsibility to notify the next of kin regardless of the time.
 - g. If a Major Crimes Division detective is not available, the Watch Commander or the Traffic Investigator shall make notification.
 - h. ***When a Department member is killed in the line-of-duty, the employee responsible for the notification shall also advise the employee's family members of victim/witness services.***
 - i. ***If the next of kin cannot be determined and/or notified, or is determined to be out of the area, it shall be clearly documented in the IBR and the PD-108. The officer shall notify DEC to request the contracted removal service respond to the location for transportation of the decedent.***
2. Notification in Traffic Fatalities:
- a. In traffic fatalities, the Traffic Investigator and the Traffic Supervisor shall deliver the death notification(s) to the next of kin. The Watch Commander shall be notified after the official notification has been made. DEC will have the "On-Call" listing.
 - b. The Traffic Investigator shall compile the ***Information for*** Fatality (Traffic) Form (PD-16). In item #16, the investigator should include the name of the next of kin who was notified, the time and date of notification.
 - c. ***Department personnel shall refer to General Order 8-3, Crash Investigations and Reporting, for additional traffic fatality procedures.***

3. Notification for Serious Injury and Illness:

In cases involving serious injury, serious illness, or other bona fide emergencies involving the public interest, a sworn employee shall deliver an emergency message to the next of kin as soon as possible. Notification shall be done in person in all possible cases unless there is no reasonable alternative or time is of the essence.

4. Notification ***Outside of the Richmond-Metropolitan*** Area:

If the deceased has no immediate family in the Metro-Richmond area, the investigating officer may choose to contact the jurisdiction ***in which the family member to be notified resides or works.*** The officer may call ***that*** jurisdiction by telephone; however, all requests for death notifications shall be supported with a Teletype.

5. Requests from Other Jurisdictions:

- a. In cases where a city resident's death has occurred in another jurisdiction, the other jurisdiction may contact the Major Crimes Division. During weekends or after normal working hours, a Watch Commander or designee may make the notification. However, no notification shall be made until such time as the other jurisdiction has sent the Richmond Police Department a Teletype verifying the deceased's name, pertinent data and the name and address identifying the next of kin.
- b. Every attempt should be made to notify the next of kin. It may be necessary to try more than once. If the detective is unable to make notification, the information should be passed on to the supervisor of Major Crimes, Watch Commander or designee(s).

VI. FORMS

- A. PD-16, Information for Fatality (Traffic)
- B. PD-108, Death Report Summary
- C. Property and Evidence Receipt